

SENATE BILL 9042

By Pody

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to COVID-19 immunization of K-12
students.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 50, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "COVID-19" means the novel coronavirus, SARS-CoV-2, and
coronavirus disease 2019, commonly referred to as COVID-19, including a
mutation or variant of the novel coronavirus, SARS-CoV-2, and coronavirus
disease 2019; and

(2) "School" means:

(A) An LEA;

(B) A public charter school; or

(C) A private school that:

(i) Directly receives state funds; and

(ii) Offers kindergarten through grade twelve (K-12) or any
combination thereof.

(b) A school shall not require a student to be immunized against COVID-19.

(c) A school shall not segregate a student on the basis of the student's COVID-
19 immunization status.

(d) If a school violates this section, then:

(1) A parent or legal guardian of a student who was affected by the violation has a cause of action against the school for actual damages plus reasonable attorney's fees and court costs; and

(2) The commissioner of education may withhold a portion or all of the state education funds that the school is otherwise eligible to receive.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.